



EXPRESS MAIL NO. EV 614 652 856 US

PETITION FOR REJOINDER Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Attorney Docket No.	RIGL-047
	Confirmation No.	6779
	First Named Inventor	ROSSI, ALEXANDER B.
	Application Number	10/524,233
	Filing Date	August 25, 2005
	Group Art Unit	1644
	Examiner Name	BELYAVSKYI, MICHAEL A
	Title:	"METHODS OF IDENTIFYING COMPOUNDS THAT MODULATE IGG MEDIATED MAST CELL ACTIVATION"

Sir:

In this petition, the Applicants request review of the Restriction Requirement of May 30, 2007. A communication requesting reconsideration of the Restriction Requirement is filed concurrently herewith.

The independent claims of this case are set forth in Exhibit A of this communication.

The instant application is an international application that entered the US via 35 U.S.C. § 371. The restriction of claims in this application is therefore governed by PCT Rule 13.1 (via 37 C.F.R. § 1.475). PCT Rule 13.1 is elaborated in great detail in MPEP §§ 1893.03(d) and 1850.

According to PCT Rule 13.1, the Applicant has a right to pursue, in one application, all inventions that are linked by a single inventive concept.

In this application, the claims are linked by a single inventive concept, namely the use of primed mast cells to identify modulators of Fcγ receptor signaling. Further, the Applicants note that that apart from the preamble, claims 1 and 11 are identical.

Since the use of primed mast cells to identify modulators of Fcγ receptor signaling is recited in each of the claims, the Applicants submit that the claims of this case are linked by a single inventive concept. Thus, the Applicants believe that the requirements of PCT Rule 13.1 have been met, and this Restriction Requirement should be withdrawn.

In the Restriction Requirement, the Examiner requires restriction between three groups of claims (claims 1-10, 11-20 and 21-30) but has not set forth any reasoning to support the restriction. As such, this Restriction Requirement lacks force.

In view of the foregoing discussion, the Applicants request that the Director review the above-referenced Restriction Requirement. A decision to rejoin claims 1-30 would be consistent with the International Preliminary Examination Report of August 18, 2004, in which no lack of unity rejection is issued, and all claims are examined. The Applicants note that the same examiner (Exr. Belyavskiy) authored this IPER and this Restriction Requirement.

If the Examiner finds that a telephone conference would expedite the prosecution of this application, please telephone the undersigned at (650) 833 7723.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-0815, order number RIGL-047.

Respectfully submitted,
BOZICEVIC, FIELD & FRANCIS LLP

Date: June 21, 2007

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EXHIBIT A

LISTING OF THE INDEPENDENT CLAIMS

1. A method of identifying a compound capable of modulating Fcγ receptor signaling pathway, comprising
 - a) contacting at least one IgE primed mast cell with a candidate compound in the presence of Fcγ receptor signaling activation; and
 - b) determining whether the candidate compound modulates the Fcγ receptor-mediated signaling cascade.

11. A method of identifying a compound for treating disorders of IgG-mediated mast cell activation, comprising:
 - a) contacting at least one IgE primed mast cell with a candidate compound in the presence of Fcγ receptor signaling activation; and
 - b) determining whether the candidate compound modulates the Fcγ receptor signaling cascade.

21. A method of identifying a compound capable of modulating IgE priming of mast cells, comprising:
 - a) contacting at least one mast cell with a candidate compound and priming the mast cell with IgE antibody;
 - b) activating signal transduction via Fcγ receptor-mediated signaling pathway; and
 - c) determining whether the candidate compound modulates IgE priming of the mast cell.